

**MINUTES OF COUNCIL MEETING
MARCH 9, 2006
6:30 P.M.**

The Murray City Council met in regular session on Thursday, March 9, 2006, at 6:30 p.m. in the Council Chambers of City Hall, with Mayor Rushing presiding.

Council Members Present: Lance Allison, Doris Parham, Pete Lancaster, Rita Henley, Danny Hudspeth, Hugh Massey, Robert Billington, Pat Scott, Jason Pittman, Butch Seargent, and Bill Wells.

Council Members Absent: Dan Miller.

Staff Present: Don Leet, Ken Claud, Michael Skinner, David Roberts, Candace Dowdy, Matt Mattingly, Philip Morris, Harla McClure, and Warren Hopkins.

Minutes of the council meeting held February 23, 2006, were presented for approval. **Mr. Allison moved, seconded by Mr. Pittman**, to approve the minutes as written. With no discussion, Mayor Rushing called for a voice vote, which was unanimous in favor of the motion.

The following names were presented to the council for consideration of Position #8 to the Board of Commissioners for the Murray Calloway County Hospital. Said term is for four years and will expire March 31, 2010: Burton Young, Kenneth Darnell, and Bill Crass.

The council was polled, and the vote is as follows:

Burton Young: Danny Hudspeth, Pat Scott, Robert Billington, Butch Seargent, Jason Pittman, Pete Lancaster, and Bill Wells.

Kenneth Darnell: Lance Allison, Hugh Massey, and Rita Henley.

Bill Crass: Doris Parham.

The council was again polled and asked to vote on the two individuals who received the most votes. Said vote is recorded as follows:

Burton Young: Lance Allison, Danny Hudspeth, Doris Parham, Pat Scott, Robert Billington, Butch Seargent, Jason Pittman, Pete Lancaster, and Bill Wells.

Kenneth Darnell: Hugh Massey and Rita Henley.

Mr. Billington moved, seconded by Mr. Wells to appoint Burton Young to serve a four year term for Position #8 to the Board of Commissioners of the Murray Calloway County Hospital. Said term will expire March 31, 2010. With no further discussion, Mayor Rushing called for the roll call vote, which is recorded as follows:

AYES: Lance Allison, Danny Hudspeth, Hugh Massey, Doris Parham, Pat Scott, Rita Henley, Robert Billington, Butch Seargent, Jason Pittman, Pete Lancaster, and Bill Wells.

NAYS: None.

Mayor Rushing declared Burton Young appointed to Position #8.

The council was then polled on the remaining names in order to appoint one of the individuals to Position #10, which is a one year term that will expire March 31, 2007.

Kenneth Darnell: Lance Allison, Hugh Massey, Pat Scott, Rita Henley, Robert Billington, Butch Seargent, Pete Lancaster, and Bill Wells.

Bill Crass: Danny Hudspeth, Doris Parham, Jason Pittman.

Mr. Allison moved, seconded by Ms. Henley to appoint Kenneth Darnell to serve a one year term for Position #10 to the Board of Commissioners of the Murray Calloway County Hospital. Said term will expire March 31, 2007. With no further discussion, Mayor Rushing called for the roll call vote, which is recorded as follows:

AYES: Lance Allison, Danny Hudspeth, Hugh Massey, Doris Parham, Pat Scott, Rita Henley, Robert Billington, Butch Seargent, Jason Pittman, Pete Lancaster, and Bill Wells.

NAYS: None.

Mayor Rushing declared Kenneth Darnell appointed to Position #10.

Ordinance Number 2006-1399 an ordinance amending Chapter 93, Health and Sanitation, of the City of Murray Code of Ordinances, as it pertains to open burning was presented to the council on a second reading. **Mr. Scott moved, seconded by Ms. Henley** to adopt said ordinance.

With no discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

AYES: Lance Allison, Danny Hudspeth, Hugh Massey, Doris Parham, Rita Henley, Pete Lancaster, Jason Pittman, Pat Scott, Robert Billington, Butch Seargent, and Bill Wells.

NAYS: None.

Mayor Rushing declared Ordinance Number 2006-1399 adopted on the second reading and recorded in Ordinance Book Number 6, Page ____.

Ordinance Number 2006-1400 an ordinance amending Chapter 95, Section 95.99, Penalty, of the City of Murray Code of Ordinances was presented to the council on a second reading. **Ms. Henley moved, seconded by Ms. Parham** to adopt said ordinance.

With no discussion, Mayor Rushing called for a roll call vote which is recorded as follows:

AYES: Lance Allison, Danny Hudspeth, Hugh Massey, Doris Parham, Rita Henley, Pete Lancaster, Jason Pittman, Pat Scott, Robert Billington, Butch Seargent, and Bill Wells.

NAYS: None.

Mayor Rushing declared Ordinance Number 2006-1400 adopted on a second reading and recorded in Ordinance Book Number 6, Page _____.

Ordinance Number 2006-1401 an ordinance amending Ordinance Number 2005-1379, which adopted the 2005-2006 City of Murray, Kentucky, annual budget by restating certain expenditures for the City of Murray Operations Budget, regarding special appropriations for Phase II renovation of the Calloway County Renaissance Center was presented to the council for a second reading. **Mr. Lancaster moved, seconded by Mr. Pittman** to adopt said ordinance.

With no discussion, Mayor Rushing called for a roll call vote which is recorded as follows:

AYES: Lance Allison, Danny Hudspeth, Hugh Massey, Doris Parham, Rita Henley, Pete Lancaster, Jason Pittman, Pat Scott, Robert Billington, Butch Seargent, and Bill Wells.

NAYS: None.

Mayor Rushing declared Ordinance Number 2006-1401 adopted on a second reading and recorded in Ordinance Book Number 6, Page _____.

Ordinance Number 2006-1402 an ordinance annexing a 23.829 acre tract of land located on Robertson Road South and owned by Dale Campbell, D&D Incorporated, was presented to the council on a first reading. **Mr. Billington moved, seconded by Ms. Henley** to approve said ordinance.

With no discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

AYES: Lance Allison, Danny Hudspeth, Hugh Massey, Doris Parham, Rita Henley, Pete Lancaster, Jason Pittman, Pat Scott, Robert Billington, Butch Seargent, and Bill Wells.

NAYS: None.

Mayor Rushing declared Ordinance Number 2006-1402 approved on the first reading.

Municipal Order 006-2006 appointing Kevin Lamb to the Murray Calloway County Park Board to fill the unexpired term of Sherrie Holbrook. Said term will expire November 1, 2007. **Mr. Seargent moved, seconded by Mr. Massey** to approve said municipal order.

With no further discussion, Mayor Rushing call for the voice vote which was unanimous in favor of the motion.

Municipal Order 007-2006 appointing Roger Reichmuth to the City of Murray Code of Ethics Board for a three year term to expire March 10, 2009. **Ms. Parham moved, seconded by Ms. Henley** to approve said municipal order.

With no further discussion, Mayor Rushing called for the roll call vote which was unanimous in favor of the motion.

Mayor Rushing then called attention to a list of vehicles compiled by Chief Ken Claud, which the council must declare as surplus (list attached). **Mr. Allison moved, seconded by Mr. Massey** to declare certain vehicles as surplus.

Mr. Allison questioned how bids for the vehicles would be received and Chief Claud stated he would be advertising the vehicles to be sold via sealed bids.

Chief Claud stated the first five vehicles are in the impound lot. The vehicles were impounded due to no insurance cases and the owners never claimed the vehicles. The remaining vehicles are surplus police vehicles. Three new vehicles have been delivered and the older models will be sold.

Chief Claud stated the list needed to be amended. He stated the City of Murray has been providing Jeff Steen, of the Emergency Management System, with a 1996 Ford Interceptor. The City of Murray holds the title to the car; therefore, the 1996 vehicle will be declared surplus instead of the 2002 vehicle.

Chief Claud stated a \$100 minimum bid will be set for the first five vehicles.

With no further discussion, Mayor Rushing called for a voice vote, which was unanimous in favor of the motion.

Mayor Rushing recognized Bill Wells, and requested that he provide a report from the Finance Committee. Mr. Wells stated the committee met to discuss alternate bid 2 and alternate bid 3 for the old post office project.

He requested that Don Elias, City Administrator provide additional information. Mr. Elias stated that the previous ordinance that was adopted committed the City up to the possibility of \$224,000 of local funds to finish out the post office project. The City received \$100,000 in grant funds, which brings the City's obligation down to \$124,000.

Mr. Elias stated the base bid was awarded to Clark Construction and we are recommending drafting a budget amendment ordinance for alternate bid 2 and 3, which would allow completion of the second floor. This would provide us with three more offices to rent out.

Alternate bid 2 is for ceiling tile, finish the duct work, and mechanical and electrical work for the second floor to make it usable. Alternate bid 3 is plaster work and painting for the second floor.

Mr. Elias stated the City made an intent to apply application and we were approved; therefore, we have been asked to submit a full application to the state for approximately \$42,000. He stated if we receive these funds, it will offset the alternate bid costs. The \$42,000 is all the eligible work that is left on the outside, includes the front door and the handicap ramp and railings.

Mr. Elias stated that, hopefully, the City will be able to recoup some of the monies through rent. He stated the current lease is five years from the completion of the renovation work; however, Judge Elkins has recommended to the Fiscal Court that it be extended to 10 years. This will provide us with a better opportunity to recoup those funds.

Mr. Elias stated the only bid left is alternate bid 1 which would complete the basement area.

Mr. Wells moved, as unanimously recommended by the Finance Committee, to draft a budget amendment for alternate bid 2 in the amount of \$16396 and alternate bid 3 in the amount of \$18949. **Ms. Henley seconded the motion.** With no further discussion, Mayor Rushing called for the roll call vote, which is recorded as follows:

AYES: Lance Allison, Danny Hudspeth, Hugh Massey, Doris Parham, Rita Henley, Pete Lancaster, Jason Pittman, Pat Scott, Robert Billington, Butch Seargent, and Bill Wells.

NAYS: None.

Mayor Rushing declared the motion to draft a budget amendment approved.

Mayor Rushing recognized Danny Hudspeth, and requested that he provide a report from the Public Safety Committee. Mr. Hudspeth stated that the committee met to review a proposed Municipal Order regarding a maximum standard tow fee for all NOL calls from wrecker services.

Mr. Hudspeth stated that a maximum standard towing rate of \$70 is hereby set for all NOL (next on list) calls, which includes the first 30 minutes of the tow truck operator's arrival on the scene. Section 1 of the municipal order is amended to include the 30 minutes starting from the arrival of the tow truck operator at the scene.

Mr. Hudspeth stated there was discussion on what a standard tow is; therefore, it is recommended that the municipal order be reviewed in six months to see if any amendments need to be made.

Mr. Hudspeth moved, as unanimously recommended by the Public Safety Committee, to approve Municipal Order 005-2006, with a review of said Municipal Order being done in six months. **Mr. Pittman seconded the motion.** With no further discussion, Mayor Rushing called for the voice vote, which was unanimous in favor of the motion.

Mr. Hudspeth stated that noise control was also being discussed and will be reviewed over the next month.

Mr. Wells stated the next Make a Difference Day is scheduled for March 25th. He also stated that New Wave Communications has made an offer to purchase Charter Communication.

Ms. Parham stated the City of Murray has been awarded a \$1000 grant for the promotion of Fair Housing Month in April.

With no further business to come before the council, the meeting adjourned at 7:10 p.m.

H. Thomas Rushing, Mayor

Attest:

Harla McClure, City Clerk